

Attorney Docket No.: 42390P11634

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#4

In re the Application of:

NAGASUBRAMANIAN GURUMOORTHY, ET AL.

Application No.: 09/881,007

Filed: June 12, 2001

For: **FAULT RESISTANT OPERATING SYSTEM**

Assistant Commissioner for Patents  
Attention: Box Missing Parts  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

Sir:

In response to the Notice to File Missing Parts of Application mailed August 10, 2001, please find enclosed:

(1) a duly executed Declaration and Power of Attorney with respect to the above-referenced patent application;

(2) a check in the amount of \$130.00 in payment of the surcharge of 37 CFR § 1.16(e); and

(3) a copy of the Notice to File Missing Parts of Application.

If any additional fee is required, please charge Deposit Account No. 02-2666. A duplicate of the Fee Transmittal is enclosed for deposit account charging purposes.

11/09/2001 TV0111 00000007 022666 09881007

01 FC:115 110.00 CH

Dated: 10/10/01

12400 Wilshire Blvd., 7th Floor  
Los Angeles, California 90025  
Telephone: (310) 207-3800

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

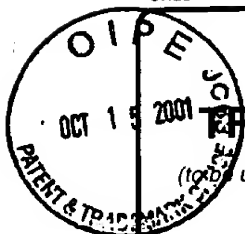
Eric S. Hyman, Reg. No. 30,139

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Assistant Commissioner for Patents, Attention: Box Missing Parts, Washington, D.C. 20231 on: 10/10/01

Kumiko Alexander

10/10/01  
Date

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/881,007
Filing Date	June 12, 2001
First Named Inventor	Nagasubramanian
Group Art Unit	
Examiner Name	
Attorney Docket Number	42390P11634

Total Number of Pages in This Submission

6

## ENCLOSURES (check all that apply)

☒ Fee Transmittal Form

☒ Fee Attached

☐ Amendment / Response

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/Incomplete Application

☒ Response to Missing Parts under 37 CFR 1.52 or 1.53

☒ Assignment Papers (for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert a Provisional Application

☐ Power of Attorney, Revocation Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) \_\_\_\_\_

☐ After Allowance Communication to Group

☐ Appeal Communication to Board of Appeals and Interferences

☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify below):

return postcard; copy of Notice

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm

or

Individual name

Eric S. Hyman, Reg. No. 30,139

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Signature

Date

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 10/10/01

Typed or printed name

Kumiko Alexander

Signature

Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL**  
**for FY 2002**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 170.00

**Complete if Known**

Application Number	09/881,007
Filing Date	06/12/01
First Named Inventor	Nagasubramanian Gurumoorthy, et
Examiner Name	
Group Art Unit	
Attorney Docket Number	42390P11634

**METHOD OF PAYMENT (check one)**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit  
Account  
Number

02-2666

Deposit  
Account  
Name

Blakely, Sokoloff, Taylor &amp; Zafman LLP

- ☒
- Charge Any Additional Fee Required
- 
- Under 37CFR 1.16 and 1.17
- 
- ☐
- Applicant claims small entity status.
- 
- See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:

☒ Check ☐ Money  
Order ☐ Other
**FEE CALCULATION****1. FILING FEE**

Large Code	Entity Fee (\$)	Small Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$)

**2. CLAIMS**

Total Claims	Extra	Fee from below	Fee Paid
31	X		
5	X		

Multiple Dependent Claims

Large Code	Entity Fee (\$)	Small Code	Entity Fee (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	80	202	40	Independent claims in excess of 3	
104	270	204	135	Multiple Dependent claim	
109	80	209	40	Reissue independent claims over original patent	
110	18	210	9	Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

\*or number previously paid, if greater. For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEE**

Large Code	Entity Fee (\$)	Small Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920	112	920	Requesting publication of SIR prior to Examiner action	
113	1,840	113	1,840	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for response within first month	
116	390	216	195	Extension for response within second month	
117	890	217	445	Extension for response within third month	
118	1,390	218	695	Extension for response within fourth month	
128	1,890	228	945	Extension for response within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidably	
141	1,240	241	620	Petition to revive - unintentionally	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

SUBTOTAL (3) (\$) 170.00

\* Reduced by Basic Filing Fee Paid

**SUBMITTED BY**Typed or  
Printed Name

Eric S. Hyman, Reg. No. 30,139

Signature

Date

10/10/01

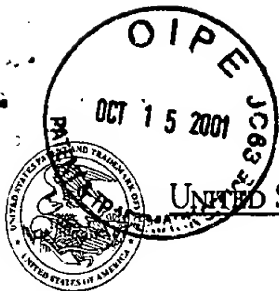
**Complete (if applicable)**

Reg. Number

Deposit Account  
User ID

02-2666

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

#3

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/881,007	06/12/2001	Nagasubramanian Gurumoorthy	42390P11634

CONFIRMATION NO. 5594

08791

 BLAKELY SOKOLOFF TAYLOR & ZAFMAN  
 12400 WILSHIRE BOULEVARD, SEVENTH FLOOR  
 LOS ANGELES, CA 90025

FORMALITIES LETTER



\*OC00000006410985\*

Date Mailed: 08/10/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*

10/17/2001 MBELETE1 00000033 09881007

01 FC:105

130.00 DP

SA

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE